

REMARKS

In view of the above amendment, applicant believes the pending application is in condition for allowance.

The drawings are objected to under 37 CFR § 1.83(a).

Claims 1-7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kiewit (US 4107626) in view of Baer (US 5283037).

In accordance with the Examiner's requirement an IDS is attached herewith.

With reference to the drawings the reflectors are no longer claimed.

The feature of cavity length and aperture size are dimensions of the SAW devices illustrated in figures 1 and 2. These dimensions are too small to illustrate but those skilled in the art will understand these dimensions.

With respect to the citations a new set of claims is enclosed. Item d has been deleted from original claim 1 and stands rewritten as new claim 8. In claim 8 the second piezoelectric layer has been characterized as being of a different material to the piezoelectric crystal.

A new feature has been introduced in new claim 9. The presence of a transitional layer is disclosed and explained in the paragraph bridging pages 6 and 7 of the specification.

Applicant disagrees with the Examiner's reading of Kiewit. There is no disclosure of reflectors, as item 45 in Kiewit is an absorber.

More importantly Kiewit does not disclose any device with two piezoelectric layers let alone one with two different piezoelectric materials.

What the Examiner refers to as disclosing two piezoelectric layers is actually a disclosure of two separate embodiments each having only one piezoelectric layer. In figures 1 and 3 a) the layer 22 is piezoelectric (col 3 lines 7-11). Contrary to the Examiner's assertion that 42 is a second piezo layer it is instead the single piezo layer in the figure 3b embodiment. As explained

at col 3 lines 11-21, the layers 42 and 43 are piezoelectric but the layer 22b is a dielectric layer not a piezo layer.

The Examiner is correct that Baer discloses a saw device with one piezo substrate and an analyte sensitive surface. However the combination of Kiewit and Baer does not lead to the invention as defined in new claim 8.

The provision of a transitional layer between the two piezo layers facilitates a higher coupling coefficient and reduces the acoustic wave transmission energy loss.

In view of the above, consideration and allowance are, therefore, respectfully solicited.

In the event the Examiner believes an interview might serve to advance the prosecution of this application in any way, the undersigned attorney is available at the telephone number noted below.

The Director is hereby authorized to charge any fees, or credit any overpayment, associated with this communication, including any extension fees, to CBLH Deposit Account No. 22-0185, under Order No. 21854-00073-US1 from which the undersigned is authorized to draw.

Dated: April 10, 2008

Respectfully submitted,

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